

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ENOC MARTINEZ LOPEZ, et al.,

Defendants.

CASE NO. 2:22-cr-00211-LK

ORDER CONTINUING TRIAL
AND PRETRIAL MOTIONS
DATES

This matter comes before the Court on the Joint Stipulated Motion to Continue Trial and Pretrial Motions Dates filed by the Government and all five Defendants. Dkt. No. 118. They seek to continue the trial date to February 5, 2024, and to continue the pretrial motions deadline from to December 4, 2023. *Id.* at 1.¹

They request a new trial date of February 5, 2024 because the discovery produced spans approximately 3,000 pages, the charges are serious—carrying up to a 10-year mandatory minimum prison term—and “it would be difficult for the defense to be prepared for trial at an earlier date”

¹ Defendant Witteveen is currently scheduled for trial August 7, 2023, Dkt. No. 105, and the other four Defendants are scheduled for trial September 25, 2023, Dkt. Nos. 55, 79, 114.

1 given those facts and their schedules. Dkt. No. 118 at 2. All five Defendants have waived their
2 speedy trial rights through at least February 28, 2024. Dkt. No. 117 at 1 (Jesse Witteveen waived
3 his speedy trial rights through February 28, 2024); Dkt. No. 119 (Enoc Martinez Lopez waived his
4 speedy trial rights through March 6, 2024); Dkt. No. 121 (Casey Landis waived his speedy trial
5 rights through March 30, 2024); Dkt. No. 126 at 1 (Adam Wisniewski waived his speedy trial
6 rights through February 29, 2024); Dkt. No. 127 (Anthony Gunderson waived his speedy trial
7 rights through March 1, 2024).

8 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
9 granting a continuance outweigh the best interest of the public and Defendants in any speedier
10 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
11 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
12 effective preparation, taking into account the exercise of due diligence, due to counsel's need for
13 more time to investigate the matter, gather evidence material to the defense, consider possible
14 defenses, and prepare for trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court finds that the
15 additional time requested is a reasonable period of delay and will be necessary to provide counsel
16 and Defendants reasonable time to accomplish the above tasks.

17 For these reasons, the Court GRANTS the motion, Dkt. No. 118, and ORDERS that the
18 trial date shall be continued to February 5, 2024, and that the pretrial motions deadline shall be
19 continued to December 4, 2023. It is further ORDERED that, pursuant to 18 U.S.C.
20 § 3161(h)(7)(A) and (B), the period of delay from this Order to the new trial date is EXCLUDED

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1 when computing the time within which Defendants' trial must commence under the Speedy Trial
2 Act.

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4 Dated this 14th day of July, 2023.

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6 Lauren King
7 United States District Judge
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